

**City of Somerville, Massachusetts  
Matters of Business of the Board of Aldermen**

**MINUTES OF THE REGULAR MEETING**

September 27, 2007, 7:00 PM  
Aldermanic Chambers  
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***NOTICE: This is NOT the official version of the Board of Aldermen's minutes. While reasonable efforts have been made to assure the accuracy of the data provided, do not rely on this information without first checking with the City Clerk.***

**PRESENT for all or part of the meeting:** President Robert C. Trane, Vice President Dennis M. Sullivan, Aldermen John M. Connolly, Bruce M. Desmond, William A. White Jr., William M. Roche, Maryann M. Heuston, Thomas F. Taylor, Walter F. Pero, Sean T. O'Donovan, Rebekah L. Gewirtz.

**OPENING OF THE MEETING**

- |    |           |   |                          |
|----|-----------|---|--------------------------|
| 1. | Roll Call | Call of the Roll.   | 184151<br>Placed on File |
| 2. | Minutes   | Approval of the minutes of the Regular Meeting of August 9, 2007. | 184152<br>Approved       |

**CITATIONS**

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|----|----------|--|--------------------|
| 3. | Citation | By Ald. Gewirtz and the Entire Board, Commending Greg Palmer on fifteen years of dedicated service to the Bicycle Committee and to all of Somerville's bicyclists.       | 184153<br>Approved |
| 4. | Citation | By Ald. Sullivan, Trane and the Entire Board, Commending the 2007 Sunsetters for entertaining all of Somerville this summer with their musical and dancing talents.      | 184154<br>Approved |
| 5. | Citation | By Ald. Pero, White and the Entire Board, Commending St. Ann's Parish as they conclude the celebration of their 125 <sup>th</sup> year of religious and social ministry. | 184155<br>Approved |

**PUBLIC HEARINGS**

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|----|-------------------|--|--|
| 6. | Grant of Location | GEI Consultants Inc. for a Grant of Location to install 3 monitoring wells on Franklin St. | 184156<br>Approved as Amended:<br>Approved for entirety of<br>Ward 1 |
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**ORDERS, ORDINANCES, RESOLUTIONS**  
**AND MOTIONS OF MEMBERS**

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| 7.  | Order      | By Ald. Taylor, That the Chief of Police monitor Atherton St. from 2:30-9:30PM for vehicles traveling the wrong way.   | 184157<br>Approved |
| 8.  | Order      | By Ald. Taylor, That the Director of Traffic and Parking make recommendations to the Ward 3 Alderman for safer pedestrian crossings on Bow St.   | 184158<br>Approved |
| 9.  | Order      | By Ald. Taylor, That the Chief of Police order a Park and Walk Patrol at the Round House, at the corner of Atherton and Beech St., from 8PM-1AM, for break-ins and loitering.  | 184159<br>Approved |
| 10. | Resolution | By Ald. O'Donovan, That this Board requests that the Administration not place a bike rack at Cedar St. and the community path until a neighborhood meeting can be scheduled and all abutters notified.                 | 184160<br>Approved |
| 11. | Resolution | By Ald. O'Donovan and Gewirtz, That this Board requests that the Administration set up a meeting with SPCD and the Garden Club concerning the bike path.   | 184161<br>Approved |
| 12. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works and the City Engineer contact the Ward 5 Alderman concerning possible sidewalk construction on Murdock St.  | 184162<br>Approved |
| 13. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works repair the broken street light at 19 Warwick St.  | 184163<br>Approved |
| 14. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works contact the Ward 5 Alderman with a schedule for the removal of the two short railroad tracks across Cedar St. at the bike path.                               | 184164<br>Approved |
| 15. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works replace all broken sidewalk panels at the corners of Parker Pl. and Porter St.  | 184165<br>Approved |
| 16. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works clean all loose tar debris from Parker Pl. and level the private way with tar for the winter season.  | 184166<br>Approved |
| 17. | Order      | By Ald. O'Donovan, That the Director of Traffic and Parking replace all signs on Parker Pl.  | 184167<br>Approved |
| 18. | Order      | By Ald. O'Donovan, That the Director of Traffic and Parking and the Commissioner of Public Works replace the street sign and pole for Parker Pl. by placing the new pole against the neighbor's wall facing Porter St. | 184168<br>Approved |

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| 19. | Order      | By Ald. O'Donovan, That the Commissioner of Public Works trim the tree at 224 Cedar St.  | 184169<br>Approved   |
| 20. | Order      | By Ald. O'Donovan, That the Director of SPCD instruct the contractors at 35R Lexington Ave. to enter and exit the area legally, according to the ONE WAY signs.  | 184170<br>Approved   |
| 21. | Order      | By Ald. Connolly, That the Commissioner of Public Works repair or replace the unlit streetlamp at the Field House at the intersection of College Ave. and Broadway.  | 184171<br>Approved   |
| 22. | Order      | By Ald. Connolly and Gewirtz, That the Commissioner of Public Works repair the broken sidewalk panel at the rear entryway to the Ciampa Manor driveway.  | 184172<br>Approved   |
| 23. | Order      | By Ald. Connolly and Pero, That the Commissioner of Public Works repair the road between Jaques St. and Broadway.  | 184173<br>Approved   |
| 24. | Order      | By Ald. Sullivan and O'Donovan, That the Director of Traffic and Parking report to this Board the rules that govern the process for the residents' request for permit parking on Boston Ave.   | 184174<br>Approved   |
| 25. | Order      | By Ald. Sullivan and Taylor, That the Chief of Police monitor Prescott St. for speeding.   | 184175<br>Approved   |
| 26. | Order      | By Ald. Sullivan, O'Donovan, Desmond, White and Connolly, That the Director of Traffic and Parking explore adding pedestrian crossings on Medford St. from Central St. to Broadway and report the findings to this Board.                          | 184176<br>Approved   |
| 27. | Order      | By Ald. Sullivan, Roche, Desmond, White, Connolly and Trane, That the Commissioner of Public Works meet with the Somerville Youth Soccer Executive Board to discuss the renovation of the soccer field at the Capuano School.                      | 184177<br>Approved   |
| 28. | Order      | By Ald. Gewirtz, That the City Engineer report to the Ward 6 Alderman concerning the structural integrity of the new fence at the Brown School.  | 184178<br>Approved as Amended:<br>That the Engineer report<br>to all Aldermen                            |
| 29. | Order      | By Ald. Gewirtz, That the Commissioner of Public Works alternate the nighttime street sweeping program around Davis Sq. to cause less disruption to the neighbors.   | 184179<br>Approved   |
| 30. | Resolution | By Ald. Gewirtz, That this Board requests that the Administration review the parking policy during snow emergencies and plowing and that a system be implemented to alternate sides of the street for parking during snow emergencies each winter. | 184180<br>Approved as Amended:<br>That parking signage be<br>improved, Copy to<br>Public Health & Safety |

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| 31. | Order      | By Ald. Desmond, That the Director of Public Health and the Animal Control Officer research new contraception methods to control wildlife populations (such as skunks, possum, raccoons and pigeons) in urban areas and report recommendations back to this Board.                | 184181<br>Approved                                     |
| 32. | Order      | By Ald. Desmond and Gewirtz, That the Director of SPCD investigate an illegal garage use at Elston St.  | 184182<br>Approved                                     |
| 33. | Resolution | By Ald. Desmond and Roche, That this Board requests that the State Delegation request of the DCR Commissioner a privacy barrier along the fence on the east side of McGrath Hwy., from Chester Ave. north over the Railroad Bridge to where McGrath Hwy. would meet Gilman St.    | 184183<br>Approved                                     |
| 34. | Order      | By Ald. Desmond, Roche and Gewirtz, That the Director of Traffic and Parking appear before this Board to discuss ticketing processes and policies, what they are expected to achieve and whether enforcement is becoming excessive.   | 184184<br>Approved                                     |
| 35. | Order      | By Ald. Desmond, O'Donovan, Heuston and Trane, That the Commissioner of Public Works and the Director of Communications notify residents via Connect CTY anytime NStar is trimming trees in their neighborhoods, and have the NStar arborist available to answer questions.       | 184185<br>Approved<br>Copy to Public Utilities & Works |
| 36. | Order      | By Ald. Desmond, Roche, Sullivan and Connolly, That the Director of Environmental Affairs keep parents and guardians of all children attending the Capuano School, and all staff working there, informed of all activities and findings for the contaminated site at 50 Tufts St. | 184186<br>Approved                                     |
| 37. | Order      | By Ald. Desmond, Roche, Sullivan and Connolly, That the Director of Environmental Affairs and the Director of Information Technology immediately post and update on the city web site all information, findings and plans pertaining to the contaminated site at 50 Tufts St.     | 184187<br>Approved                                     |
| 38. | Order      | By Ald. Desmond, Taylor and Connolly, That the City Solicitor or the appropriate city officer place a lien on 2 Benton Rd. until all money owed to the city for taxes, fines, cleanup and maintenance is paid in full.  | 184188<br>Approved                                     |
| 39. | Order      | By Ald. Desmond, Taylor and Connolly, That the Commissioner of Public Works clean 2 Benton Rd. and bill the owner for all work performed.   | 184189<br>Approved                                     |
| 40. | Order      | By Ald. Heuston, That the Director of Traffic and Parking evaluate parking at the intersection of Washington and Beacon Sts. to determine the need for signage restricting parking at the corners in pedestrian walkways.   | 184190<br>Approved                                     |

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| 41. | Order      | By Ald. Heuston, That the Director of SPCD establish, via the Connect CTY system, additional notification to residents regarding scheduled demolition of buildings within 500 feet of their residences.                             | 184191<br>Approved                                   |
| 42. | Order      | By Ald. Heuston, That the Commissioner of Public Works trim the trees at 106-108 Beacon St.   | 184192<br>Approved                                   |
| 43. | Order      | By Ald. Heuston, That the Director of Traffic and Parking establish a Right Turn Only lane at the intersection of Medford St. and McGrath Hwy. and install RIGHT ON RED signage.  | 184193<br>Approved                                   |
| 44. | Order      | By Ald. White, That the City Solicitor and the Director of Finance advise this Board on the potential impact of the Superior Court decision enjoining Springfield's trash fee.  | 184194<br>Approved                                   |
| 45. | Order      | By Ald. White, That the City's Environmental Coordinator and a representative of the City Solicitor's Office appear before the Committee on Public Health and Public Safety to discuss the Public Safety Building.                  | 184195<br>Approved<br>Copy to Public Health & Safety |
| 46. | Order      | By Ald. White, That the Director of Finance provide this Board with a summary of the Governor's proposed Municipal Partnership Act to reduce health care costs, and its potential impact on the City.                               | 184196<br>Approved<br>Copy to Finance                |
| 47. | Order      | By Ald. Taylor, White, Sullivan and Roche, That the Commissioner of Public Works install a bench at the Bus Stop at 125 Highland Ave.   | 184197<br>Approved                                   |
| 48. | Order      | By Ald. Taylor, White, Sullivan and Roche, That the Chief of Police place Highland Gardens (114 Highland Ave.) on a regular patrol for the Ward 3 Patrol Car, paying special attention to the residents' parking lot, from 8PM-2AM. | 184198<br>Approved                                   |
| 49. | Order      | By Ald. Trane, That the Chief of Police order speed enforcement on Paulina St. and Simpson Ave., particularly during the evening rush hour.   | 184199<br>Approved                                   |
| 50. | Order      | By Ald. Trane, That the Commissioner of Public Works make immediate repairs to, or replace, the wheelchair lift at the Traffic and Parking Dept. on Holland St.   | 184200<br>Approved                                   |
| 51. | Resolution | By Ald. Trane, That this Board requests that the Mayor work with the Ward 7 Alderman to form a reuse committee of community members to explore uses for the Powderhouse School.   | 184201<br>Approved                                   |

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| 52. | Resolution | By Ald. Trane, That this Board requests that the Traffic Commission review the fine structure for vehicles parking in bus stops, as this offense is causing serious problems for seniors and individuals with physical issues when boarding buses across the entire city.    | 184202<br>Approved                      |
| 53. | Order      | By Ald. Trane, Connolly, Gewirtz and White, That the Director of Traffic and Parking review all pedestrian signal activation devices at the Powderhouse Rotary to ensure they are operating properly and are placed so that pedestrians may cross safely from all locations. | 184203<br>Approved                      |
| 54. | Order      | By Ald. Trane and Desmond, That the Director of Purchasing and the Chief Information Officer work to adopt and use the Electronic Product Environmental Assessment Tool for all future computer and monitor purchases.   | 184204<br>Approved<br>Copy to Info Tech |
| 55. | Resolution | By Ald. Roche, That this Board requests that the Mayor's office update the Ward 1 Alderman and all Aldermen At Large, on the vagrants behind Broadway Brake and adjacent to I-93.  | 184205<br>Approved                      |
| 56. | Order      | By Ald. Roche, That the Director of Traffic and Parking and the Commissioner of Public Works coordinate a traffic signal upgrade at Highland Ave. and Medford St. as the current temporary set up is not effective.  | 184206<br>Approved                      |

**UNFINISHED BUSINESS**

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| 57. | Extended Retail Hrs | Circuit City Stores Inc. for an Extended Retail Hours Permit, 65 Mystic Ave., Sept. 24 9PM - Sept. 25 2AM only—#183980 (Reconsideration filed by Ald. Roche). | 183980<br>Approved |
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**REPORTS OF COMMITTEES**

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| 58.  | Committee Report | Report of the Committee on Licenses & Permits, Sept. 26.  | 184242<br>Approved                       |
| 58A. | Garage           | New Garage License, Neeka 2 Inc. dba Auto Palace, 463 McGrath Hwy., 5 autos, M-F 8-8, Sat 10-7, Sun closed. | 183114<br>Approved, M-Sa 8-8,<br>Su 12-6 |
| 58B. | Junk Dealer      | Renewal of Junk Dealer License, Prospect Iron & Steel, 40 Bennett St.                                       | 183242<br>Approved for 60 days<br>only   |
| 58C. | Outdoor Seating  | New Outdoor Seating License, Square Beverages, 30 Broadway, sidewalk sign.                                  | 183930<br>Approved                       |
| 58D. | Garage           | 2006 Renewal of Garage License, Gasper Ostuni, 195 Highland Ave., 12 autos.                                 | 184117<br>Approved                       |

58E.	Garage	Renewal of Garage License, Inner Belt Industrial Center Realty Trust, 21 Third Ave., 76 autos.	184119 Approved
58F.	Garage	Renewal of Garage License, Auto Express, 712 Mystic Ave., 3 autos inside and 7 outside.	184120 Approved
58G.	Garage	Renewal of Garage License, Boston Best Cars Auto Sales Inc., 266 Beacon St., 4 autos.	184121 Approved
58H.	Garage	Renewal of Garage License, Plug 'N' Spanner Garage, 4 Union Sq., 8 autos.	184122 Approved
58I.	Garage	Renewal of Garage License, County Auto Repair Inc., 103 Washington St., 4 autos.	184123 Approved
58J.	Garage	Renewal of Garage License, General Glass & Mirror Corp., 231 Lowell St., 10 autos.	184124 Approved
58K.	Flammable	Renewal of Flammable License, General Glass & Mirror Corp., 231 Lowell St., 1,000 gallons.	184126 Approved
58L.	Flammable	Renewal of Flammable License, Pearl St. Auto Sales, 182 Pearl St., 17,000 gallons.	184127 Approved
58M.	Outdoor Seating	New Outdoor Seating License, Cibobella Inc. dba SAGRA, 400 Highland Ave., Sidewalk sign, 6 tables and 12 chairs.	184128 Approved
58N.	Outdoor Seating	New Outdoor Seating License, Union Square Acupuncture, 21 Bow St., 1 Sandwich Board.	184129 Approved
58O.	Outdoor Seating	New Outdoor Seating License, Taipei Tokyo Café, 7 Holland St., 3 tables & 6 chairs.	184130 Approved
58P.	Sign	New Sign/Awning Permit, Robert Rainer, 1 Summer St. Suite One, Sign.	184131 Approved
58Q.	Sign	New Sign/Awning Permit, Chipotle Mexican Grill of Colorado LLC dba Chipotle, 270-276 Elm St., Sign.	184132 Approved
58R.	Sign	New Sign/Awning Permit, Probity Mortgage and R.E., 205 Washington St., Sign.	184133 Approved
58S.	Lodging	Renewal of Lodging House License, Tufts Chapter Delta Upsilon, 114 Professors Row.	184135 Approved
58T.	Lodging	Renewal of Lodging House License, ATO Associates Inc., 134 Professors Row.	184136 Approved for 60 days only, w/conditions: Don't use fire escape, relocate dumpster

58U.	Order	By Ald. Trane, That the City Solicitor research the June 10, 1988, Board of Appeals decision (#1988-31) for 56 Bonair St. and report back to the Committee on Licenses & Permits and to Pearl St. Auto Sales with an opinion on its legality.	184207 Approved Copy to Licenses & Permits
58V.	Order	By Ald. Trane, That the Commissioner of Public Works direct NStar to have their tree contracting supervisor meet with the Ward 5 Alderman to speak to Albion St. residents on the problems experienced with the pruning of trees.	184208 Approved
58W.	Order	By Ald. Heuston, That the Tree Warden notify the Communications Dept. of tree trimming plans and that the Communication Director use Connect CTY to notify area residents and the Ward Alderman of the trimming..	184209 Approved
58X.	Order	By Ald. Heuston, That the Director of SPCD and the Chief Fire Engineer notify the residents of 134 Professors Row that the fire escape is for emergency purposes only, not for a deck for parties.	184210 Approved
59.	Committee Report	Report of the Committee on Senior Services, Sept. 26. No papers.	184211 Approved
60.	Committee Report	Report of the Committee on Confirmation of Appointments, Sept. 27.	184212 Approved
60A.	Mayor's Request	Requesting the appointment of Ernest Felice as a Constable.	183717 Approved
60B.	Mayor's Request	Requesting the appointment of Jean Marie Sideris to the Commission on Energy Use and Climate Change.	183916 Approved
60C.	Mayor's Request	Requesting the appointment of Matthew Derany as Constable.	183917 Approved
60D.	Mayor's Request	Requesting the appointment of Michael Finnegan, Thomas Gorman, Michael Marino, Kenneth Lippens, Derek Nolan and Danielle Phillips as Firefighters in the Fire Dept.	184145 Approved
60E.	Mayor's Request	Requesting the appointment of Marlene Smithers to the Condominium Review Board and conveying her resignation from the Zoning Board of Appeals.	184147 Approved

**COMMUNICATIONS OF THE MAYOR**

61.	Mayor's Request	Requesting acceptance of MGL c31 s58A, to place age restrictions on new police officers and firefighters.	184213 Legislative Matters
62.	Mayor's Request	Requesting approval for the use of \$18,621 in available funds in the SomerStat Salaries Acct. to extend a ResiStat Analyst from 25 hours/week to full-time.	184214 Finance

63.	Mayor's Request	Requesting approval to expend a grant of \$8,000 from the MA Cultural Council for FY08 for the Arts Council Books of Hope Program.	184215 Finance
64.	Mayor's Request	Requesting approval to expend a grant of \$6,000 from the MA Cultural Council for FY08 for the Arts Council.	184216 Finance
65.	Mayor's Request	Requesting the appointment of Elizabeth Craveiro to the position of City Treasurer/Collector.	184217 Conf. of Appointments
66.	Mayor's Request	Requesting the appointment of Kenneth Joyce to the position of Municipal Hearing Officer.	184218 Approved
67.	Mayor's Request	Requesting the appointment of Cheryl Horan and John O'Leary to the Council on Aging	184219 Approved
68.	Mayor's Request	Requesting the appointment of Edward M. Marquardo to the Fair Housing Commission.	184220 Approved
69.	Mayor's Request	Requesting the appointment of Renate Harrison to the Fair Housing Commission.	184221 Conf. of Appointments
70.	Mayor's Request	Requesting the appointment of Ashraf Hegazy to the Human Rights Commission.	184222 Conf. of Appointments

#### **COMMUNICATIONS OF CITY OFFICERS**

71.	Officer's Comm.	Director of SPCD responding to various Board orders.	184223 Placed on File
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#### **NEW BUSINESS**

72.	Public Occ	Public Occupancy Permit, Willow Ave. Block Party, Oct. 14, Noon-6PM.	184224 Approved
73.	Public Occ	Public Occupancy Permit, Jason Dedrick Road Race, Cedar St. to Hodgkins Park, Nov. 3, 10-2PM.	184225 Approved
74.	Public Occ	Public Occupancy Permit, Bill Rodgers Jingle Bell Run, Davis Sq., Dec. 19, 4PM.	184226 Approved
75.	Drainlayer	New Drain Layer's License, Podgurski Corp.	184227 Approved
76.	Amusemtns	Sunstar Vending Inc., at Laundromax, 630A Somerville Ave., 5 devices.	184228 Not Approved

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| 77. | Ordinance | Ten Registered Voters submitting an Ordinance to provide a procedure for a Special Permit to be revoked.  | 184229<br>Legislative Matters,<br>Land Use and Planning<br>Board |
| 78. | Ordinance | Ten Registered Voters submitting an Ordinance to prevent issuance of a Building Permit when taxes are overdue or a lien on a property has not been disclosed. | 184230<br>Legislative Matters,<br>Land Use and Planning<br>Board |

**LATE ITEMS**

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|-----|-----------------|---|---------------------------------|
| 79. | Order           | By Ald. Taylor, Desmond and Connolly, That the Chief of Police monitor speeding on Summer St. between Benton Rd. and Lowell St., 7:30-9:30AM and 2:00-4:00PM.   | 184231<br>Approved              |
| 80. | Order           | By Ald. Heuston, that the City Solicitor draft an amendment to the Zoning Ordinances changing the legal notification range from within 300 feet to within 500 feet.   | 184232<br>Approved              |
| 81. | Order           | By Ald. Desmond, O'Donovan, Heuston and Trane, That no tree trimming be allowed on public property unless it is permitted by the Committee on Licenses & Permits.   | 184233<br>Approved              |
| 82. | Mayor's Request | Requesting approval of the promotion of Stephen Carrabino and David Fallon to the position of Police Lieutenant.  | 184234<br>Conf. of Appointments |
| 83. | Mayor's Request | Requesting approval of the promotion of Bruce Campbell and James Donovan to the position of Police Sergeant.  | 184235<br>Conf. of Appointments |
| 84. | Mayor's Request | Requesting acceptance of \$74,000 in environmental mitigation funds from P. Gioioso and Sons Inc. for the Kiley Barrel site.  | 184236<br>Finance               |
| 85. | Used Car        | Amending Used Car Dealer's License, Inman Capital Cars Inc. requesting an amendment to change their "doing business as" name to Master Used Cars at 121 Prospect St.  | 184237<br>Licenses & Permits    |
| 86. | Hawker Peddler  | Amending Hawker Peddler License, Moe's BBQ Trolley requesting an amendment to extend their hours of operation.  | 184238<br>Approved              |
| 87. | Flammable       | New Flammables License, Auto Fair, 369 Beacon St., 25,520 gallons.  | 184239<br>Licenses & Permits    |
| 88. | Garage          | New Garage License, Auto Fair, 369 Beacon St., for mechanical repairs, autobody, vehicle washing, charging for parking, storing unregistered vehicles, and operating a tow vehicle, 5AM-8PM, Sunday-Saturday, all for 2 autos inside and 5 outside. | 184240<br>Licenses & Permits    |

89. Used Car New Used Car Dealer's License, Auto Fair, 369 Beacon St.,  
8AM-8PM, Sunday-Saturday, all for 15 autos outside. 184241  
Licenses & Permits

**Submitted by John J. Long, City Clerk**